

MINUTES  
REGULAR ADJOURNED TO MEETING

City Council of the Town of Colma  
City Hall, 1198 El Camino Real  
Colma, CA 94014

June 16, 2004 - 7:30 p.m.

CALL TO ORDER – Mayor Ronald J. Maldonado called the Regular Meeting of the City Council for the Town of Colma to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Present – Mayor Ronald J. Maldonado, Mayor Pro Tem Philip Lum and Councilmembers Helen Fisicaro, Joseph Silva and Frossanna Vallerga.

Staff Present – City Manager Herb Moniz, Assistant City Manager Diane McGrath, Acting Chief of Police Robert Lotti, City Attorney Roger Peters, City Engineer Rick Mao, City Planner Malcolm Carpenter, Deputy City Planner Andrea Ouse, Recreation Services Manager Brian Dossey, and Recording Clerk Anita L. Thorsnes.

Also Present: - Supervisor Mike Nevin; City Clerk, Rae Gonzalez; Supervising Engineer Ellen Ellsworth; Assistant Engineer Muneer Ahmed.

PUBLIC COMMENTS

Open to public.

Franco Carson, 579 D Street, Colma, addressed the Council regarding the Fire District JPA Proposal.

Council suggested that Mr. Carson make an appointment with the City Manager to discuss his concerns, and directed staff to research the issues and bring it back a later date if Council direction is indicated.

Closed to public.

Council considered moving Item 15, to follow the Consent Calendar, as a courtesy to Supervisor Mike Nevin, who attended tonight's meeting in order to comment on the San Mateo Countywide Transportation Expenditure Plan.

Council approved moving Item 15 - to be heard following the Consent Calendar, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	5	0			

### CONSENT CALENDAR

1. Motion to Accept Minutes of May 12, 2004 Regular City Council Meeting
2. Motion to Accept Minutes of May 20, 2004 Special City Council Meeting
3. Motion to Approve Warrants List for May 1-31, 2004
4. Motion to Adopt Ordinance 616 ADDING SUBCHAPTER 10 TO CHAPTER 3, OF THE COLMA MUNICIPAL CODE FOR THE REGULATION OF WOODBURNING APPLIANCES IN CERTAIN REMODELS AND IN NEW CONSTRUCTION – ***second reading***
5. Motion to Adopt Ordinance 617 REGULATING ACCESSORY BUILDINGS IN RESIDENTIAL AREAS BY AMENDING COLMA MUNICIPAL CODE SECTIONS 5.110, 5.313 AND 5.313.1 – ***second reading***
6. Motion to Adopt Resolution 2004-40 CONSENTING TO ASSIGNMENT OF LEASE AND CONTRACT FOR PLANNING SERVICES FROM MALCOLM CARPENTER ASSOCIATES TO LSA ASSOCIATES, INC.
7. Motion to Adopt Resolution 2004-41 RECOMMENDING THAT THE SAN MATEO COUNTY FLOOD CONTROL DISTRICT IMPOSE BASIC CHARGES FOR FUNDING THE 2004-2005 COUNTYWIDE NPDES GENERAL PROGRAM AND CHOOSING TO PAY ADDITIONAL CHARGES FROM TOWN'S GENERAL FUND
8. Motion to Approve Renewal of Use Permit - First National Bank
9. Motion to Adopt Resolution 2004-42 MAKING CONTRIBUTION FROM SALES TAX REVENUES TO 2004-2005 LOCAL IMPROVEMENT DISTRICT NO. 1 REASSESSMENTS (280 METRO BONDS)

Action: On motion of Helen Fisicaro to approve, seconded by Frossanna Vallerga, and carried, the Council approved the Consent Calendar by the following vote:

Name	Voting	Present, Not Voting	Absent
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	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	5	0			

Item 15 was heard at this time.

### **NEW BUSINESS**

#### **15. Consider: Approving Draft San Mateo Countywide Transportation Expenditure Plan**

Open to public.

Supervisor Mike Nevin spoke in favor of extending Measure A for a 25-year term, beginning January 01, 2009.

Closed to public.

Report: City Engineer Rick Mao gave the report and recommended that the Council approve the Draft Transportation Expenditure Plan, dated March 18, 2004, to extend Measure A for a 25-year term beginning January 1, 2009, in accordance with the statutory requirements under California Public Utilities Section 131055 *et seq.*

Action: On motion by Philip Lum, seconded by Frossanna Vallerga, and carried the Council approved Resolution 2004-43 RESOLUTION APPROVING DRAFT SAN MATEO COUNTYWIDE TRANSPORTATION EXPENDITURE PLAN by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	5	0			

The remaining agenda items were heard in order.

### **PUBLIC HEARINGS**

#### **10. Consider: Budget for FY 2004-05, Choosing Measure of Inflation, and Setting Appropriations Limit for FY 2004-05**

Report: City Manager Herb Moniz gave the report and recommended that the Council adopt a resolution approving Fiscal Year 2004-2005 Town of Colma Annual Budget.

Open to public comments.  
No comments.  
Closed to Public.

Action: On motion to approve by Philip Lum, seconded by Helen Fisicaro, and carried the Council approved Resolution 2004-44 RESOLUTION ADOPTING BUDGET, CHOOSING MEASURE OF INFLATION, AND ESTABLISHING APPROPRIATIONS LIMITS FOR FISCAL YEAR 2004-2005 by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	5	0			

11. Consider: Capital Improvement Plan for Fiscal Years 2004-2005 Through 2008-2009

Report: City Engineer Rick Mao gave the report and recommended that the Council adopt a resolution approving the five-year Capital Improvement Plan 2004/2005 through 2008/2009.

Open to public comments.

Franco Carson, 579 D Street.  
Closed to Public.

Action: On motion to approve by Helen Fisicaro, seconded by Joseph Silva, and carried the Council approved Resolution 2004-45 RESOLUTION ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PLAN by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	5	0			

12. Consider: (a) Urgency Ordinance Prescribing Fees for Sewer Connections, Sewer Inspections and Sewer Services by Amending Colma Municipal Code Sections 3.313, 3.314 and 3.315; and

(b) Introducing Ordinance Prescribing Fees for Sewer Connections, Sewer Inspections and Sewer Services by Amending Colma Municipal Code Sections 3.313, 3.314 and 3.315

Report: City Engineer Rick Mao gave the report and recommended that the Council (a) adopt an Urgency Ordinance and (b) adopt a regular Ordinance to increase Sewer Service Charges for North San Mateo County Sanitation District (NSMCSD), and the South San Francisco Sewer Collection System

(a) Action: On motion to approve by Helen Fisicaro, seconded by Frossanna Vallerga, and carried, the Council introduced and adopted Urgency Ordinance 618 URGENCY ORDINANCE PRESCRIBING FEES FOR SEWER CONNECTION, SEWER INSPECTIONS AND SEWER SERVICES BY AMENDING COLMA MUNICIPAL CODE SECTIONS 3.313, 3.314 AND 3.315 by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	5	0			

Action: On motion by Helen Fisicaro, seconded by Frossanna Vallerga, and carried the Council approved reading Ordinance by title only by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	5	0			

The title was read by Helen Fisicaro.

(b) Action: On motion to approve by Helen Fisicaro, seconded by Frossanna Vallerga, and carried, the Council introduced Ordinance 619 ORDINANCE PRESCRIBING FEES FOR SEWER CONNECTIONS, SEWER INSPECTIONS AND SEWER SERVICES BY AMENDING COLMA MUNICIPAL CODE SECTIONS 3.313, 3.314 AND 3.315 by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	5	0			

Action: On motion by Helen Fisicaro, seconded by Frossanna Vallerga, and carried, the Council approved reading the ordinance by title only by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	5	0			

The title was read by Helen Fisicaro.

**13. Consider: Overruling Protests to and Confirming Report on Sewer Service Charges for the Town of Colma for the Fiscal Year 2004-05; and**

**Report:** City Engineer Rick Mao gave the report and recommended that the Council (a) adopt a resolution, overruling protest of sewer service charges; approve report on Sewer Services Charges for FY 04/05 and (b) adopt a resolution, authorizing payment of certain sewer service charges from the General Fund.

Open to public for discussion.

No comments.

Closed to public.

(a) Action: On motion by Helen Fisicaro, seconded by Frossanna Vallergera, and carried, the Council approved Resolution 2004- 46 RESOLUTION OVERRULING PROTESTS TO AND CONFIRMING REPORT ON SEWER SERVICE CHARGES FOR THE TOWN OF COLMA FO THE FISCAL YEAR 2004-2005 by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallergera	✓				
Voting Tally	5	0			

(b) Action: On motion by Helen Fisicaro, seconded by Frossanna Vallergera, and carried the Council approved Resolution 2004-47 RESOLUTION AUTHORIZING PAYMENT OF CERTAIN SEWER SERVICE CHARGES FROM GENERAL FUND by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallergera	✓				
Voting Tally	5	0			

**14. Consider: Granting Use Permit and Approving Design for Wireless Communication Facility at 711 Serramonte Boulevard**

Report: Deputy City Planner Andrea Ouse gave the report and recommended that the Council make the findings set forth therein and approve a Use Permit and Design Review to install a wireless communications facility at the Saturn of Colma dealership at 711 Serramonte Boulevard, subject to the conditions listed in the report.

Open to public.  
Dave Hatfield, 475 D Street.  
Pat Hatfield, 475 D Street.  
Eric Wilson, Applicant.

No other comments.  
Closed to public.

Action: On motion by Helen Fisicaro with the stipulation that it will not violate an existing Ordinance stipulating towers should not be placed in close proximity to the residential neighborhood, seconded by Philip Lum, and carried the Council approved Resolution 2004-48 RESOLUTION GRANTING USE PERMIT AND APPROVING DESIGN FOR WIRELESS COMMUNICATION FACILITY AT 711 SERRAMONTE BOULEVARD by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	5	0			

Mayor Maldonado called for a 10-minute break.

*15. Item 15 was heard following the Consent Calendar.*



**16. Consider: Awarding Contract for Junipero Serra Boulevard Beautification Project Phase I, Project No. 907**

Councilmember Helen Fisicaro excused herself from the dais and left the room due to a possible conflict of interest because her husband's landscaping business bid on the project.

Report: City Engineer Rick Mao gave the report and recommended that the Council adopt a resolution awarding the Construction Contract to Interstate Grading & Paving Inc., in the amount, not-to-exceed- \$1,253,209.50 for construction of the Junipero Serra Boulevard Beautification Project Phase I – Project 907.

Action: On motion by Joseph Silva, seconded by Philip Lum, and carried the Council approved Resolution 2004-49 AWARDING THE CONTRACT FOR THE JUNIPERO SERRA BOULEVARD BEAUTIFICATION PROJECT PHASE I, PROJECT NO. 907 by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro				✓	
Joseph Silva	✓				
Frossanna Vallerga	✓				
Voting Tally	4	0			

Councilmember Fisicaro returned to the dais.

**17. Consider: Adopting Rental Policies for the Town-owned Affordable Unit Located at 1365 Mission Road (Verano)**

*Item tabled to next month.*

**18. Consider: Approving Property Management Services Agreement With The Human Investment Project (HIP) for 1365 Mission Road (Verano)**

*Item tabled to next month.*

**19. Consider: Appointment of Members to the Mission Street Beautification Committee**

*Item removed from agenda.*

Council considered adding Item 20 to the agenda - Appointing Resident as the Town Representative to the San Mateo Mosquito Abatement District.

Action: On motion to approve by Helen Fisicaro, seconded by Joseph Silva, and carried, Council approved adding Item 20 - Appointing Resident as the Town representative to the San Mateo Mosquito Abatement District, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallergera			✓		
Voting Tally	4	0			

**20. Appointing Resident as the Town Representative to the San Mateo Mosquito Abatement District**

Action: On motion to approve by Helen Fisicaro, seconded by Philip Lum, and carried, the Council appointed Colma resident Lawrence Vallergera, 1051 El Camino Real, Colma, as the Town's representative to the San Mateo County Mosquito Abatement District, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Ronald J. Maldonado	✓				
Philip J. Lum, Jr.	✓				
Helen Fisicaro	✓				
Joseph Silva	✓				
Frossanna Vallergera			✓		
Voting Tally	4	0			

## **COUNCIL CALENDARING**

July 14, 2004, 7:30 p.m.

August 18, 2004, 7:30 p.m.

## **REPORTS:**

No reports.

## **ADJOURNMENT**

The Regular Meeting was adjourned at 9:42 p.m. in memory of:

- ❑ Robert “Bob” J. Burns, Colma resident.
- ❑ Stephen Maas, relative of Colma employee.
- ❑ William Allen, relative of Colma employee.
- ❑ Maggie Cuadros, Executive Director of North Peninsula Neighborhood Services.



Respectfully Submitted,

Anita Landis Thorsnes

Anita Landis Thorsnes, Deputy City Clerk

Approved by Council July 14, 2004